REMARKS

Applicants acknowledge with appreciation the indication in the Official Action that the claims are free from prior art although subject to obviousness double patenting rejections over Applicants' prior issued patents.

Applicants have amended the title to provide a more descriptive title as suggested by the Examiner in the Official Action. The new title is, "Compositions for Treating Migraine." Moreover, the Examiner is authorized to further amend the title if believed necessary. Accordingly, the objection to the title as non-descriptive has been obviated and should be withdrawn.

The objection to claims 10-26 for containing an obvious typographical error in the name of the compound has been carefully considered but is most respectfully traversed in view of the amendments to the claims. Claims 10-26 have been canceled from the application without prejudice or disclaimer and new claims 27-42 have been added to more particularly define the invention in view of the outstanding Official Action and as fully supported by Applicants' specification. In this regard, the spelling of "dimethylaminoethyl" has been corrected in the new claims. New claim 27 now includes a reference to "oral administration", as well as to the 2 to 5 % w/w definition for the film coating. Claim 28 refers to 3 to 4 % w/w for the film coating. Claims 33 and 34 include the indication that the amount of active ingredient is expressed as the weight of free base and claim 35 is a method of treatment claim which refers back to claim 1. Each of the composition claims now have a corresponding method claim and the reference to "prophylactically treating" has been deleted from all method claims in view of the definition of "treatment" on page 5 of the specification. Applicants most respectfully submit that all the claims now present in the application are in full compliance with 35 U.S.C. §112 and are clearly patentable over the references of record.

The obviousness double patenting rejections over Applicants prior patents have been considered but are believed to be obviated by the filing herewith of the necessary terminal disclaimer and payment of the required fee. These patents have issued from the parent applications on which the present application is based and for which benefit of the earlier filing dates has been claimed

In this regard, Applicants note that the specification of the present application has been amended to make the required cross reference to the parent application under 35 USC 120. This was made in the preliminary amendment filed in this application. The Official Filing Receipt contains the appropriate information on the parent applications. The present application is a continuation application of pending U.S. application serial number 09/481,933, filed January 13, 2000, which has issued as United States Patent **6,368,627**, and which is a continuation of U.S. application serial number 09/121,530, filed July 24, 1998, now United States Patent **6,020,001**, granted February 1, 2000, which is a continuation of U.S. application serial number 08/381,422, filed January 31, 1995, which is now United States Patent **5,863,559**, granted January 26, 1999, which is a continuation of U.S. application serial number 08/107,847 filed on August 13, 1993 now abandoned, which is a 371 of PCT/EP92/00460, filed March 2, 1992. Applicants would very much appreciate it if the next Official Action contains an acknowledgment of this claim for domestic priority under 35 USC 120.

The above patents are the only patents applied in the obviousness double patenting rejections set forth in the Official Action. It is noted in the Official Action that a Terminal Disclaimer may be filed to overcome these rejections. Accordingly, a timely filed Terminal Disclaimer over U.S. Patent Numbers 6,368,627, 5,863,559 and 6,020,001 in compliance with 37 CFR 1.321 is being submitted herewith to overcome the double patenting rejections. The required terminal disclaimer fee is also submitted herewith. Accordingly, Applicants most respectfully request that the rejections on the grounds of obviousness double patenting be withdrawn.

Finally, Applicants note that in accordance with MPEP §2001.06(b) the Examiner must indicate in the first Office action whether the prior art in a related earlier application has been reviewed. In this regard, these references were cited in the IDS submitted with the above discussed preliminary amendment. It is noted that the cited section of the manual states that, "Accordingly, no separate citation of the same prior art need be made in the later application." Applicants look forward to an acknowledgment that the prior art in the parent applications issuing as the patents cited in the obviousness double patenting rejections have been considered.

In view of the above comments and further amendments to the specification and claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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